

**CITY COUNCIL  
BUSINESS MEETING MINUTES  
October 16, 2012**

The Business Meeting of the Monroe City Council was held on October 16, 2012, in the Council Chambers at City Hall. Mayor Robert Zimmerman called the meeting to order at 7:00 p.m.

Councilpersons present: Goering, Cudaback, Kamp, Davis, Gamble, and Hanford.

Councilperson absent: Williams (out of town).

Staff present: Brazel, Feilberg, Warthan, Nelson, Bremner, Farrell, Quenzer, Ginnard, Sax, Popelka, and Martinson.

City Attorney Zach Lell was also present.

The meeting was opened with the Pledge of Allegiance.

**PUBLIC HEARING**

**1. Short Plat Extension/ZCA2012-08**

Planning & Permit Manager Popelka gave a brief introduction explaining the background and history on the proposal to extend the life cycle of short plats.

Mayor Zimmerman opened the public hearing.

No citizens wished to address Council on this topic.

The motion was made by Councilperson Cudaback and seconded by Councilperson Kamp, to close the citizen testimony portion of the public hearing. On vote,

Motion carried 6/0.

This item will come back on October 23<sup>rd</sup> for a first reading and November 6<sup>th</sup> for second and final reading.

The motion was made by Councilperson Goering and seconded by Councilperson Hanford, to close the public hearing. On vote,

Motion carried 6/0.

**2. Roosevelt Road Rezoning/RZ2011-01**

Planning & Permit Manager Popelka gave a brief introduction and slide presentation explaining the background and history on this item.

Mayor Zimmerman opened the public hearing.

Bill Davisson, 611 Main Street, Monroe, asked if this addition would create a need for a new pumping station and if there would be additional costs and who pays for those costs.

Public Works Director Feilberg explained that the property is already within the City of Monroe and some homes are serviced by septic systems. A portion would require pumping stations in order to have sewer service and would be paid by the developer and roll into costs of the sewer system thereafter.

Meredith Mechling, 13624 Chain Lake Road, Monroe, asked when the application was completed for the subdivision.

Director Feilberg stated that there no subdivision at the moment. This is not about a subdivision; it's about a rezone.

The motion was made by Councilperson Hanford and seconded by Councilperson Cudaback, to close the citizen testimony portion of the public hearing.

After comments and questions, the motion was on the floor to close the public testimony portion of the public hearing. On vote,

Motion carried 6/0.

The motion was made by Councilperson Goering and seconded by Councilperson Cudaback, to direct staff to prepare an ordinance for the first reading on October 23, 2012.

#### **COMMENTS FROM CITIZENS**

Vickie Mullen, 10312 210<sup>th</sup> St. SE, Snohomish, addressed Council about her various concerns about the speed of projects and the process.

Erin Angus-Snapka, 421 S. Lewis Street, Monroe, spoke in support of Councilperson Cudaback.

Meredith Mechling, 13624 Chain Lake Road, spoke in support of Councilperson Cudaback.

Jennifer VandeWouwer, 13340 Prospector Ridge Road SE, Monroe, spoke in support of Councilperson Cudaback's Facebook page and against increasing the discount for school mitigation fees.

Jeff Rasmussen, 16655 150<sup>th</sup> Street, SE, Monroe, spoke in support of Councilperson Cudaback's Facebook page.

Diane Elliott, 15550 174<sup>th</sup> Ave SE, Monroe, spoke in support of Councilperson Cudaback.

David Sinclair, 12418 15<sup>th</sup> Ave SE, Snohomish, WA, spoke in support of Councilperson Cudaback.

Bill Davisson, 611 West Main Street, Monroe, spoke in support of Councilperson Cudaback's Facebook page and against Council rezoning a piece of property for one family.

Sam Wirsching 15002 210<sup>th</sup> Ave SE, Monroe, feels there is a lack of communication with public officials.

Joel Phillips, 55 Circle Drive, Monroe, spoke in support of Councilperson Cudaback and her Facebook page.

#### **CONSENT AGENDA**

Councilperson Gamble asked that Consent Agenda item #2A (Bills) be pulled from the Consent Agenda.

Councilperson Cudaback pulled Consent Agenda #5.

#### **1. Minutes**

**A. October 2, 2012 Business Meeting**

**B. October 9, 2012 Study Session**

#### **2. Accounts Payable & Payroll**

**A. ~~Bills: Checks #82902 – 82962, in the amount of \$747,045.33~~** (Pulled from the Consent Agenda)

**B. Payroll Checks #31890 – 31977, in the amount of \$940,302.77**

#### **4. Resolution Authorizing Surplus of City Property – Computer Equipment**

The motion was made by Councilperson Goering and seconded by Councilperson Cudaback, to approve Consent Agenda items #1, #2B, #3, & #4.

Councilperson Gamble requested that item #3 also be removed from the Consent Agenda.

The maker and the seconder of the motion amended the motion to approve Consent Agenda items #1, #2B, and #4 (listed above). On vote,

Motion carried 7/0.

Under an abundance of caution, Councilperson Gamble recused himself from the vote on Consent Agenda items #2A and #3, and left Council Chambers at 7:51 p.m.

**2. Accounts Payable & Payroll**

**A. Bills: Checks #82902 – 82962, in the amount of \$747,045.33 (Pulled from the Consent Agenda)**

**3. Resolution Authorizing Surplus of City Property – TCI (Comcast) Cable Channel 21 Equipment**

The motion was made by Councilperson Cudaback and seconded by Councilperson Hanford, to approve Consent Agenda item #2A and #3 (listed above). On vote,

Motion carried 6/0.

Councilperson Gamble returned to Council Chambers at 7:52 p.m.

**5. Authorize Mayor to Sign Consult Construct Mgmnt Services Supplement #2 for David Evans & Assoc for US2/E. Main Street/Old Owen Road Intersection Improvements Project**

After clarifying questions, the motion was made by Councilperson Cudaback and seconded by Councilperson Goering to approve Consent Agenda #5. On vote,

Motion carried 7/0.

**NEW BUSINESS**

**1. Update on Public Records Requests**

City Administrator Brazel explained that, due to the amount of public records requests, they are suggesting that a full-time city/records clerk be considered. He explained the cost for a full-time position and the cost to homeowners, if this position were to be paid with a property tax increase.

Mayor Zimmerman explained further, stating that the City could use either the contingency fund or a property tax increase of 4.3% to pay for the position. The request is motivated by the last two records requests, which are very broad in nature. This will be discussed with Council again later.

Councilperson Cudaback excused herself for a moment and left chambers at 8:00 p.m., and returned at 8:02 p.m.

**2. To Receive & Evaluate Complaints or Charges Brought Against a Public Officer or Employee**

Mayor Zimmerman gave an introductory statement. He cautioned Council that this discussion should not lead to further unauthorized disclosure of confidential information beyond what has already been alleged to have occurred.

Councilperson Goering read a statement noting that he was making a formal complaint to Council regarding unauthorized disclosure of confidential information by Councilperson Cudaback.

After the statement, the motion was made by Councilperson Goering and seconded by Councilperson Hanford, that Council compel a full and public apology from Councilperson Cudaback to Council, City Staff, and the citizens of Monroe for inappropriately disclosing confidential information, and garner an assurance the action in question will not be repeated again; and that City Council formally censure Councilmember Cudaback, and have a Letter of Censure drafted to be included in the official public record; and that Councilmember Cudaback be assessed a civil penalty, as allowed by RCW 42.23.050 and MMC 2.52, in the amount of \$500, payable to the City of Monroe within 30 days.

After discussion, Councilperson Hanford withdrew his second and suggested a further discussion in executive session.

After additional discussion, the maker of the motion agreed that this topic could be suspended to another meeting.

#### **COUNCILMEMBER REPORTS**

No reports from Councilmembers.

#### **MAYOR/ADMINISTRATIVE STAFF REPORTS**

Chief Quenzer reported on the robber who hit Washington Federal; he was caught due to security cameras around businesses. The robber was alleged to have committed nine bank robberies.

Parks and Recreation Director Farrell reported that there would be a downtown clean up on Saturday. Anyone interested in helping should meet at the NE corner of Main and Lewis Streets.

##### **1. Draft Agenda/October 23, 2012**

City Administrator Brazel presented the draft agenda for October 23, 2012.

It was determined that the complaint item would be moved to November 6<sup>th</sup>.

City Administrator Brazel explained what process that was used for the Hearing Examiner Roster.

Mayor Zimmerman stated that there was a hearing coming up on Friday. The City will have a rotating roster in the future for hearing examiners.

City Administrator Brazel explained that former Hearing Examiner Galt had opted out of continuing with the City.

## EXECUTIVE SESSION

### 1. Executive Session: Potential/Pending Litigation.

Mayor Zimmerman explained that there was a need to go into an executive session for the purposes of discussing pending litigation with legal Council pursuant to RCW 42.30.110(i), as read into the record by City Attorney Lell. The executive will last approximately 15 minutes, after which Council may take action in open session.

MEETING RECESSED INTO EXECUTIVE SESSION: 8:36 p.m.  
EXECUTIVE SESSION WAS EXTENDED  
MEETING RECONVENED INTO REGULAR SESSION: 8:54 p.m.

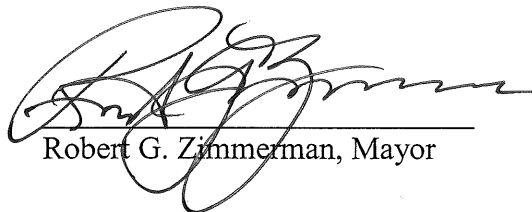
There was no Council action following the executive session.

## ADJOURNMENT

There being no further business, the motion was made by Councilperson Goering and seconded by Councilperson Kamp, to adjourn the meeting. On vote,

Motion carried 6/0.

MEETING ADJOURNED: 8:55 p.m.

  
Robert G. Zimmerman, Mayor  
Eadye Martinson, Deputy City Clerk